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Commission on the Status of Women
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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century": gender mainstreaming, situations and programmatic matters

Azerbaijan and Belarus:* draft resolution

Release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts

The Commission on the Status of Women,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[1] and the Additional Protocols thereto of 1977,[2] as well as relevant international standards of human rights, in particular the Universal Declaration of Human Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child,[6] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[7] and the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights,[8]

* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

[1] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[2] Ibid., vol. 1125, Nos. 17512 and 17513.

[3] General Assembly resolution 217 A (III).

[4] See General Assembly resolution 2200 A (XXI), annex.

[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[6] Ibid., vol. 1577, No. 27531.

[7] Ibid., vol. 1465, No. 24841.

[8] A/CONF.157/24 (Part I), chap. III.

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Recalling the adoption of the 2030 Agenda for Sustainable Development,[9] recognizing its universal, integrated and indivisible nature, and acknowledging that the 2030 Agenda, inter alia, addresses the elimination of all forms of violence against all women and girls, as well as ending all forms of discrimination against all women and girls,

Taking duly into account the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in its resolution 61/177 of 20 December 2006,[10]

Recalling all its previous resolutions on the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts,[11] as well as all relevant resolutions of the Commission on Human Rights and the Human Rights Council concerning hostage-taking and General Assembly resolution 61/172 of 19 December 2006,

Recognizing that women and children bear particular vulnerabilities when taken hostage, including sexual violence and reproductive health concerns,

Recognizing also that everyone has the right to life, liberty and security of person and that the taking of hostages is an offence of grave concern to the international community,

Recalling the relevant provisions contained in the instruments of international humanitarian law relative to the protection of the civilian population as such,

Reaffirming the Beijing Declaration and Platform for Action,[12] as well as the outcomes of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[13] and the outcome of the special session of the General Assembly on children, entitled "A world fit for children",[14] including the provisions therein regarding violence against women and children, and reaffirming also the declarations of the Commission on the Status of Women on the tenth,[15] fifteenth[16] and twentieth[17] anniversaries of the Fourth World Conference on Women,

Recalling General Assembly resolution 57/337 of 3 July 2003 on the prevention of armed conflict, and the Security Council resolutions on women and peace and security, as well as the Council resolutions on children and armed conflict and the Council resolutions on kidnapping for ransom and hostage-taking by terrorists,

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[9] General Assembly resolution 70/1.

[10] United Nations, *Treaty Series*, vol. 2716, No. 48088.

[11] Resolutions 39/2, 40/1, 41/1, 42/2, 43/1, 44/1, 45/1, 46/1, 48/1, 50/1, 52/1, 54/3, 56/1, 58/1 and 60/1.

[12] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution I, annexes I and II.

[13] General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

[14] General Assembly resolution S-27/2, annex.

[15] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and E/2005/27/Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[16] See *Official Records of the Economic and Social Council, 2010, Supplement No. 7* and corrigendum (E/2010/27 and E/2010/27/Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2010/232.

[17] *Official Records of the Economic and Social Council, 2015, Supplement No. 7* (E/2015/27), chap. I, sect. C, resolution 59/1, annex.

Recalling also the United Nations Convention against Transnational Organized Crime[18] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[19] which provides a framework to effectively prevent and combat trafficking in persons, and recalling further the United Nations Global Plan of Action to Combat Trafficking in Persons,[20]

Expressing grave concern about the growing number of armed conflicts in many regions throughout the world and the human suffering and humanitarian emergencies they cause,

Noting the particular impact that trafficking in persons in situations of armed conflict has on women and children, including their increased vulnerability to sexual and gender-based violence, and expressing solidarity with and compassion for women and children who are trafficked, as noted in, inter alia, the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,[21]

Noting also that women and children who are taken hostage, including those subsequently imprisoned, including in armed conflicts, whether international or non-international, are victims of serious violations or abuses of international law, including international humanitarian law and human rights law, which continues to have a negative impact on efforts to put an end to those conflicts and causes suffering to the families of those women and children, and stressing in this regard the need to address the issue from a humanitarian perspective, among others,

Emphasizing that all forms of violence in areas of armed conflict committed against the civilian population as such, including taking women and children hostage, seriously contravene international humanitarian law, in particular as set out in the Geneva Conventions of 12 August 1949,

Cognizant that States that are parties to an armed conflict have a responsibility not to take hostage and subsequently imprison women and children in armed conflicts and to ensure accountability as regards the implementation of relevant mechanisms, policies and laws in order to protect them, bearing in mind that all parties to a conflict must refrain from hostage-taking,

Concerned that, despite the efforts of the international community, acts of hostage-taking in different forms and manifestations, including those committed by terrorists and armed groups, continue to take place and have even increased in many regions of the world,

Noting with concern the serious threats posed by transnational organized crime in some regions and its increasing links, in some cases, with terrorism, and strongly condemning the incidents of kidnapping and hostage-taking committed for any purpose, including raising funds or gaining political concessions,

Recognizing that addressing the problem of hostage-taking calls for resolute, firm and concerted efforts on the part of the international community, in accordance with international humanitarian law and international human rights law, in order to bring such abhorrent practices to an end and hold perpetrators accountable,

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[18] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[19] Ibid., vol. 2237, No. 39574.

[20] General Assembly resolution 64/293.

[21] General Assembly resolution 72/1.

Expressing its strong belief that the rapid and unconditional release of women and children taken hostage in areas of armed conflict will promote the implementation of the noble goals enshrined in the Beijing Declaration and Platform for Action, as well as the outcomes of the twenty-third special session of the General Assembly and the outcome of the special session of the General Assembly on children, including the provisions therein regarding violence against women and children,

Taking note of the report of the Secretary-General,[22]

1. *Reaffirms* that hostage-taking, wherever and by whomever committed, is an illegal act aimed at the destruction of human rights and is, under any circumstances, unjustifiable;

2. *Condemns* all violent acts committed against the civilian population as such, in violation of international humanitarian law in situations of armed conflict, and calls for an effective response to such acts, in particular the immediate release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, including by strengthening international cooperation in the field;

3. *Also condemns* the acts committed in the context of hostage-taking, in particular torture and other cruel, inhuman or degrading treatment or punishment, murder, rape and other forms of sexual violence, and trafficking in women and children, including for the purpose of slavery, and deplores their consequences;

4. *Urges* States that are parties to an armed conflict to take all measures necessary, in a timely manner, to determine the identity, fate and whereabouts of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, and to the greatest possible extent, to provide their family members, through the appropriate channels, with all relevant information they have on their fate and whereabouts;

5. *Invites* States, in this regard, to adopt a comprehensive approach, including all appropriate legal and practical measures and coordination mechanisms;

6. *Recognizes* the need for the collection, protection and management of information on women and children taken hostage, including those subsequently imprisoned, in armed conflicts, according to international and national legal norms and standards, and urges States to cooperate with each other and with other appropriate actors working in this area by, inter alia, providing all relevant and appropriate information;

7. *Strongly urges* all parties to armed conflicts to respect fully the norms of international humanitarian law and to take all measures necessary for the protection of the civilian population as such, including measures to prevent and combat acts of hostage-taking;

8. *Urges* all parties to armed conflicts to provide safe, unimpeded access to humanitarian assistance for those women and children, in accordance with international humanitarian law;

9. *Also urges* all parties to armed conflicts to cooperate fully with the International Committee of the Red Cross and, where relevant, with national Red Cross and Red Crescent societies, in establishing the fate and whereabouts of women and children taken hostage, including those subsequently imprisoned;

[22] E/CN.6/2018/7.

10. *Stresses* both the need for increased accountability and the responsibility of all States to prosecute or bring to justice, in accordance with international law, those responsible for war crimes, including those crimes involving hostage-taking and sexual violence;

11. *Also stresses* the need to address the issue of the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, also as part of peace processes, with reference to all justice and rule of law mechanisms, on the basis of transparency, accountability and public involvement and participation;

12. *Emphasizes* the importance of exchanging objective, reliable and impartial information, including through improved analysis and dissemination of data disaggregated by sex and age, on hostages, verifiable by relevant international organizations, in facilitating their release, and calls for assistance, as appropriate, to those organizations in this regard;

13. *Welcomes* the progress made in the release of women and children taken hostage in situations of armed conflicts;

14. *Highlights* the importance of the rehabilitation and reintegration of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, as well as children born in captivity, recognizing their particular vulnerability to violence, including sexual violence, in those situations, and urges the concerned States to take all measures practically possible to this end;

15. *Requests* the Secretary-General, in the context of the present resolution, to continue to widely disseminate information, in particular relating to Security Council resolution 1325 (2000) of 31 October 2000;

16. *Requests* the Secretary-General and all relevant international organizations to use their capabilities and undertake efforts to facilitate the immediate release of women and children who have been taken hostage, including those subsequently imprisoned;

17. *Invites* the special rapporteurs of the Human Rights Council, within their respective mandates, as well as the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Representative of the Secretary-General on Violence against Children, to continue to address the issue of women and children taken hostage, including those subsequently imprisoned, in armed conflicts and its consequences;

18. *Requests* the Secretary-General to submit to the Commission on the Status of Women at its sixty-fourth session a comprehensive report covering all aspects of the present resolution, including relevant practical recommendations to address issues relating to the release of women and children taken hostage in armed conflicts, taking into account the information provided by States and relevant international organizations;

19. *Decides* to consider the question at its sixty-fourth session.